

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO



UNITED STATES OF AMERICA,

Plaintiff,

vs.

**MAROQUEZ CLAH,**

Defendant.

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Cr. No. 19-4447 KWR

UNITED STATES' PROFFER OF EVIDENCE AT TRIAL

The United States respectfully submits that, were this matter to proceed to trial, the United States would prove the following facts through competent and admissible evidence and beyond a reasonable doubt that:

1. The Defendant, **MAROQUEZ CLAH**, on or about August 30, 2019, did unlawfully kill John Doe by operating a motor vehicle without due caution and circumspection and with a wanton and reckless disregard for human life when he knew or should have known that his conduct imperiled the lives of others.
2. Defendant killed John Doe while in the commission of an unlawful act not amounting to a felony, that is while: (1) driving any vehicle carelessly and heedlessly in willful or wanton disregard of the rights or safety of others without due caution and circumspection and at a speed or in a manner so as to endanger or be likely to endanger any person or property, in violation of N.M. Stat. Ann. § 66-8-113; and (2) driving a vehicle under the influence of intoxicating liquor, in violation of N.M. Stat. Ann. § 66-8-102(A) (1978).
3. Defendant is an enrolled member of the Navajo Nation, which is a federally recognized Indian tribe.

4. Defendant killed John Doe within the exterior boundaries of the Navajo Nation, which is Indian Country within San Juan County, in the District of New Mexico.

Respectfully submitted,

JOHN C. ANDERSON  
United States Attorney



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I HEREBY CERTIFY that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification to defense counsel and probation.

/s/  
NOVALINE D. WILSON  
Assistant United States Attorney